

**REMARKS**

In the Final Office Action dated March 25, 2009, the Examiner rejected claims 22, 24, 25, 36, 37, 39, 45-49, and 52 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,776,907 to Barlow ("*Barlow*"); rejected claim 38 as being anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as being unpatentable over *Barlow*; rejected claims 40-44 under 35 U.S.C. § 103(a) as being unpatentable over *Barlow*; rejected claims 50 and 53 under 35 U.S.C. § 103(a) as being unpatentable over *Barlow* in view of U.S. Patent No. 3,155,612 to Weber ("*Weber*"); rejected claims 50 and 51 under 35 U.S.C. § 103(a) as being unpatentable over *Barlow* in view of U.S. Patent No. 4,787,987 to Hensley ("*Hensley*"); and rejected claim 54 under 35 U.S.C. § 103(a) as being unpatentable over *Barlow*, in view of U.S. Patent No. 4,421,646 to Correge et al. ("*Correge*"), U.S. Patent No. 3,730,348 to Weis et al. ("*Weis*"), and U.S. Patent No. 3,317,044 to Marks ("*Marks*").

By this amendment, Applicant has amended claims 22, 25, 37, and 47. Applicant has also added new claims 55-58. Claims 22, 24, 25, and 30-58 are currently pending in this application (claims 30-35 having been previously withdrawn by the Examiner). Amendments to independent claim 22 are supported by, for example, Fig. 2 of the specification. New independent claim 55 includes features from independent claim 1 and features supported by, for example, Figs. 2-5 and paragraph [0053] of the published application. No new matter has been introduced by this Reply.

**REJECTIONS UNDER § 102(e)**

In the Office Action, the Examiner rejected claims 22, 24, 25, 36, 37, 39, 45-49, and 52 under 35 U.S.C. § 102(e) as being anticipated by *Barlow*.

**Independent Claim 22**

Although Applicant does not necessarily agree with the Examiner's rejection, in order to expedite prosecution of this application, Applicant has amended independent claim 22 to recite, among other features, "an inlet formed at a first end of the cartridge and arranged to permit the introduction of a liquid into the inner space; [and] an outlet formed at a second end of the cartridge and arranged to permit the discharge of liquid from the inner space."

*Barlow* discloses "[a] device for the deionization of incoming water." (Abstract.) The device of *Barlow* includes a "distributor tube 18." (Col. 4 line 66 - col. 5, line 1.) Water enters the distributor tube 18 of *Barlow*, passes through a mixed bed resin, and then leaves the tank 12 through the upper distributor basket 38 and outlet 28. (Col. 5, lines 49-54; see also Fig. 1.) As can also be seen from Fig. 1, the distributor basket 38 and the distributor tube 18 are both formed at the same end of tank 12. Therefore, *Barlow* does not disclose "an inlet formed at a first end of the cartridge and arranged to permit the introduction of a liquid into the inner space; [and] an outlet formed at a second end of the cartridge and arranged to permit the discharge of liquid from the inner space," as recited in amended independent claim 22. Accordingly, *Barlow* does not disclose each and every element of amended independent claim 22 and the Examiner should withdraw the § 102 rejection.

For at least the aforementioned reasons, independent claim 22 should be allowed. Additionally, claims 24, 25, and 36-54 should be allowed due to their dependence from independent claim 22 and their recitations of additional patentable subject matter.

**REJECTIONS UNDER § 102(b) and/or § 103(a)**

The Examiner also rejected claim 38 as being anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as being unpatentable over *Barlow*. The Examiner contends that the upper lip of *Barlow* performs the same function as the flanges recited in the claims. (Office Action at 5.) The Examiner also rejected claims 40-44 under 35 U.S.C. § 103(a) as being unpatentable over *Barlow*. In this rejection the Examiner contended that “[t]he only difference between the prior art and the claims is a recitations [sic] of relative dimensions.” (Office Action at 5.) Even if the Examiner is correct, which Applicant does not concede, *Barlow* does not disclose or suggest each and every feature of allowable claim 22, from which claim 38 and 40-44 depend (see discussion above). For at least this reason the Examiner should withdraw the rejections of claims 38 and 40-44 and allow the claims.

Claims 50 and 53 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Barlow* in view of *Weber*. The Examiner relies on *Weber* for its alleged disclosure of “the wall portion [being] substantially planar.” (Office Action at 6.) However, *Weber* does not remedy the above-mentioned deficiencies of *Barlow* with respect to allowable claim 22, from which claims 50 and 53 depend. Thus, for at least this reason the Examiner should withdraw the rejections of claims 50 and 53 and allow the claims.

The Examiner also rejected claims 50 and 51 under 35 U.S.C. § 103(a) as being unpatentable over *Barlow* in view of *Hensley*. The Examiner relies on *Hensley* for its alleged disclosure of “the wall portion [being] substantially planar.” (Office Action at 7.) However, *Hensley* does not remedy the above-mentioned deficiencies of *Barlow* with respect to allowable claim 22, from which claims 50 and 53 depend. For at least this reason the Examiner should withdraw the rejections of claims 50 and 51 and allow the claims.

Finally, claim 54 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Barlow*, in view of *Correge*, *Weis*, and *Marks*. The Examiner relies on *Correge*, *Weis*, and *Marks* for their alleged disclosure of changing the cross section of the slit over the length of the slit. (Office Action at 7-8.) Applicant disagrees with the Examiner’s characterization of these references. Regardless of the Examiner’s interpretation of these references, the Applicant submits that, *Correge*, *Weis*, and *Marks* do not remedy the above-mentioned deficiencies of *Barlow* with respect to allowable claim 22, from which claim 54 depends. Accordingly, for at least this reason the Examiner should withdraw the rejection of claim 54 and allow the claim.

**Independent Claim 55**

Regarding new independent claim 55, *Barlow* does not disclose a “filter arranged at the outlet, wherein the filter is a planar filter.” In the Office Action, the Examiner interprets distributor tube 18 to be the outlet. (Office Action at 3.) Although Applicant does not agree with this interpretation, even assuming that distributor tube 18 is the outlet of the device of *Barlow*, distributor tube 18 still has a tubular shape. (See also, Figs. 1 and 5.) Accordingly, *Barlow* does not disclose or suggest a “filter arranged at

the outlet, wherein the filter is a planar filter,” as recited in new independent claim 55.

*Weber, Hensley, Corregge, Weis, and Marks* do not remedy the deficiencies of *Barlow*.

For at least the aforementioned reasons, new independent claim 55 should be allowed. Additionally, new claims 56-58 should be allowed due to their dependence from allowable new independent claim 55 and their recitations of additional patentable subject matter.

### **CONCLUSION**

Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 22, 24, 25, and 30-58 in condition for allowance.

Applicant respectfully points out that the final action by the Examiner presented some new arguments as to the application of the art against Applicant's invention. It is respectfully submitted that the entering of the Amendment would allow the Applicant to reply to the final rejections and place the application in condition for allowance.

Applicant also submits that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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